

FILED

JUN 13 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Jun 13, 2008

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MR. DAVID POWELL
PLANTIFF

VS.

CITIBANK (SOUTH DAKOTA), N.A.,)
DEFENDANT)

CASE NO. 08-CV-²⁷⁵⁵~~00097~~

HON CHARLES R. NORGLE, Sr.

08cv 2755

PLANTIFF'S FIRST AMENDED COMPLAINT

PARTIES

1. On information and belief the Plaintiff and Defendant entered into a Credit Card Agreement on or about July 2007.

GENERAL ALLEGATIONS

1. The Plaintiff submitted payment as required by Money Order No. 224655, First Savings Bank of Hegewisch dated before the due date.
2. The Defendant accepted said payment as listed line item 1.
3. The Plaintiff submitted Exhibit 2 after calls were made to Defendants Customer Service for errors made by the Defendant.
4. The Defendant violated said contract by ignoring page 15 Billing Rights.
5. The Defendant violated said contract page 16 rights and responsibilities, by refusing to correct there errors.
6. The Defendant informed Plaintiff all Credit History is sent Automatically by The Defendant each month to Credit bureaus page 14 Credit Reporting.

COUNT ONE
NEGLIGENT MISREPRESENTATION

1. The Plaintiff reincorporates line items one thru six and all exhibits submitted in the original complaint.
2. The Defendants capacity as a Credit Card Provider is in the business of providing facts and information that is accurate, The Defendant assumed a responsibility under and failed its contract responsibility to the Plaintiff.
3. The Defendant's negligent misrepresentation resulted in economic harm and emotional distress to the Plaintiff who is on U.S. RRB Disability.

COUNT TWO
WILLFULL VIOLATION OF THE FAIR CREDIT REPORTING ACT

1. The Defendant was obligated to to comply with 15 U.S.C. 1681s-2a(7)(A)(i).
2. The Defendant willfully violated 15 U.S.C. 1681s-2a(7)(A)(i). this violation caused actual damages to the Plaintiff.
3. The Defendant negligently violated act line item 2, by failing to notify the Plaintiff in writing, that said information will be submitted to Credit Bureaus.

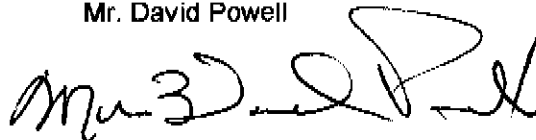
PRAYERS FOR RELIEF

The Plaintiff Prays the Court for relief and enter Judgement in Plaintiff's favor against the Defendant and grant actual and statutory damages to the Plaintiff as listed and any other means equitable and just.

Respectfully Submitted

Plaintiff

Mr. David Powell

A handwritten signature in black ink, appearing to read "Mr. David Powell", written in a cursive style.